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10 *Attorneys for Plaintiff, Deutsche Bank National Trust Company, as Trustee for Ameriquest*
11 *Mortgage Securities Inc., Asset-Backed Pass-Through Certificates, Series 2006-R2*

12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 DEUTSCHE BANK NATIONAL TRUST
15 COMPANY, AS TRUSTEE FOR
16 AMERIQUEST MORTGAGE SECURITIES,
17 INC., ASSET-BACKED PASS-THROUGH
18 CERTIFICATES, SERIES 2006-R2,

19 Plaintiff,

20 vs.

21 WILLIAMSBURG TOWNEHOMES
22 HOMEOWNERS ASSOCIATION; RENO
23 PROPERTY MANAGEMENT; and ROE
24 CORPORATIONS X-XX,

25 Defendants.

26 AND ALL RELATED CLAIMS

Case No.: 3:16-cv-00004-MMD-WGC

**STIPULATION AND ORDER OF FINAL
JUDGMENT FOR QUIET TITLE**

27 Plaintiff, Deutsche Bank National Trust Company, as Trustee for Ameriquest Mortgage
28 Securities Inc., Asset-Backed Pass-Through Certificates, Series 2006-R2 (hereinafter “Deutsche
Bank” or “Plaintiff”)), by and through its attorneys of record, Christina V. Miller, Esq. and
Joseph A. Dragon, Esq., of the law firm of Wright, Finlay & Zak, LLP; and Defendants
Williamsburg Townhomes Homeowners Association (the “HOA”) and Reno Property
Management, by and through their attorneys of record, Thomas E. McGrath, Esq. and
Christopher A. Lund, Esq., of the law firm of Tyson & Mendes, LLP, hereby jointly agree,
stipulate, and authorize entry of a stipulated judgment as follows:

1 WHEREAS, Ocwen Loan Servicing, LLC (“Ocwen”) is the servicing agent and attorney-
2 in-fact for Deutsche Bank, the beneficiary of a Deed of Trust encumbering real property located
3 at 483 Beacon Hill Ct., #14B, Sparks, Nevada 89431, with APN: 033-291-29 (hereinafter, the
4 “Property”), and legally described as:

5 PARCEL 1:

6 Unit No. 7 of Building No. 3 of WILLIAMSBURG TOWNEHOMES, A
7 CONDOMINIUM DEVELOPMENT, filed in the office of the County Recorder
8 of Washoe County, State of Nevada, on September 1, 1971, as Tract Map No.
9 1248.

10 PARCEL 2:

11 An undivided 1/39'h interest in the remaining Common Area of
12 WILLIAMSBURG TOWNEHOMES, A CONDOMINIUM SUBDIVISION, as
13 shown on the plat thereof, filed in the office of the County Recorder of Washoe
14 County, State of Nevada, on September 1, 1971, as File No. 217427, and any
15 amendments thereof Excluding theretrom all that portion reverted to acreage by
16 Tract Map No. 1618, recorded December 28, 1976, as Document No. 441462.
17 and Tract Map No. 2098, recorded July 15, 1983, as Document No. 866984.

18 PARCEL3:

19 The exclusive right to use the Restricted Common Area appurtenant to
20 Unit No. 7 Building No. 3 as shown on the map of WILLIAMSBURG
21 TOWNHOMES or as set forth in the Amended Declaration of Covenants,
22 Conditions and Restrictions for Williamsburg Townhomes filed in the office of
23 the County Recorder of Washoe Cowlty, State of Nevada, as File No.1174807,
24 Official Records.

25 PARCEL4:

26 The non-exclusive easements to use the Common Area as set forth in the
27 above described Amended Declaration of Covenants, Conditions and
28 Restrictions or in the above-described Condominium Map. APN: 033-291-29

WHEREAS, the HOA was the association that foreclosed on the Property.

WHEREAS, on or about May 22, 2002, Herbert Bennett and Madelyn Bennett
(collectively “Bennett”) purchased the Property via a Grant Bargain and Sale Deed conveying
the Property to Bennett, recorded against the Property on May 31, 2002, with the Washoe
County Recorder’s Office as Document Number 2694391.

1 WHEREAS, Bennet executed a promissory note in the amount of \$126,000.00 payable to
2 Ameriquet Mortgage Company ("Note").

3 WHEREAS, to secure the Note, Bennett executed a deed of trust ("Deed of Trust"), on or
4 about January 5, 2006, which was recorded against the Property on June 9, 2006, in the Official
5 Records of Washoe County, Nevada, as Document Number 3398855.

6 WHEREAS, on February 17, 2009, an Assignment of Deed of Trust was recorded against
7 the Property in the Official Records of Washoe County, Nevada, as Document Number 3729757,
8 by which Deutsche Bank was assigned all beneficial interest in the Deed of Trust.

9 WHEREAS, on August 9, 2011, a Notice of Delinquent Assessment was recorded against
10 the Property by the HOA in the Official Records of Washoe County, Nevada, as Document
11 Number 4029839.

12 WHEREAS, on September 14, 2011, a Notice of Default and Election to Sell under
13 Homeowners Association Lien was recorded against the Property by the HOA in the Official
14 Records of Washoe County, Nevada, as Document Number 4040742.

15 WHEREAS, on December 27, 2011 a Notice of Sale was recorded against the Property
16 by the HOA in the Official Records of Washoe County, Nevada, as Document Number 4070443.

17 WHEREAS, on February 9, 2012, a Foreclosure Deed Upon Sale was recorded against
18 the Property in the Official Records of Washoe County, Nevada, as Document Number 4083112.
19 Pursuant to the Foreclosure Deed, a non-judicial foreclosure sale occurred on January 30, 2012
20 (hereinafter, the "HOA Sale"), whereby the HOA acquired its interest in the Property for a credit
21 bid of \$2,961.59.

22 WHEREAS, on November 4, 2016, Plaintiff filed a Complaint to set aside the HOA Sale,
23 or alternatively, for a judicial declaration that the HOA Sale did not extinguish its Deed of Trust.

24 WHEREFORE, the parties have now come to a resolution regarding their respective
25 claims and interest in the Property and stipulate and agree as follows:

26 **IT IS HEREBY STIPULATED AND AGREED** that title to the Property will be vested
27 in DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR AMERIQUEST
28 MORTGAGE SECURITIES, INC., ASSET-BACKED PASS-THROUGH CERTIFICATES,

SERIES 2006-R2. As represented by a quitclaim deed which will be recorded against the Property and whereby the HOA quitclaims any and all interest in the Property to Deutsche Bank.

IT IS FURTHER STIPULATED AND AGREED that Deutsche Bank's Deed of Trust shall remain a first priority encumbrance upon the Property.

IT IS FURTHER STIPULATED AND AGREED that the above-referenced matter shall be dismissed with prejudice.

IT IS FURTHER STIPULATED AND AGREED that nothing in this Stipulation and Order is intended to be, or will be, construed as an admission of the claims or defenses of the parties.

IT IS FURTHER STIPULATED AND AGREED that this Stipulation and Order is in no way intended to impair the rights of Deutsche Bank (or any of its authorized agents, investors, affiliates, predecessors, successors, and assigns) to pursue any and all remedies against Bennett, as defined in the Deed of Trust and/or Note, that Deutsche Bank (or any of its authorized servicers, agents, investors, affiliates, predecessors, successors, and assigns) may have relating to the Note and Deed of Trust, including the right to judicially or non-judicially foreclose or otherwise enforce the Deed of Trust against the Property.

IT IS FURTHER STIPULATED AND AGREED that each party shall bear its own attorney's fees and costs.

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1 **IT IS FURTHER STIPULATED AND AGREED** that a copy of this Stipulation and
2 Order of Final Judgment of Quiet Title may be recorded against the Property with the Washoe
3 County Recorder's Office.

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5 Dated this 29th day of May, 2019

6 WRIGHT, FINLAY & ZAK, LLP

7
8 /s/ Joseph A. Dragon, Esq.

9 Christina V. Miller, Esq.

10 Nevada Bar No. 12448

11 Joseph A. Dragon, Esq.

12 Nevada Bar No. 13682

13 7785 W. Sahara Avenue, Suite 200

14 Las Vegas, NV 89117

15 *Attorneys for Plaintiff, Deutsche Bank*

16 *National Trust Company, as Trustee for*

17 *Ameriquest Mortgage Securities Inc., Asset-*

18 *Backed Pass-Through Certificates, Series*

19 *2006-R2*

Dated this 29th day of May, 2019

TYSON & MENDES, LLP

/s/ Christopher A. Lung, Esq.

Thomas E. McGrath, Esq.

Nevada Bar No. 7086

Christopher A. Lund, Esq.

Nevada Bar No. 12435

8275 S. Eastern Ave., Suite 115

Las Vegas, NV 89123

Attorneys for Defendant Williamsburg

Townhomes Homeowners Association

20 **IT IS SO ORDERED.**

21 Dated: May 29, 2019

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UNITED STATES DISTRICT COURT JUDGE